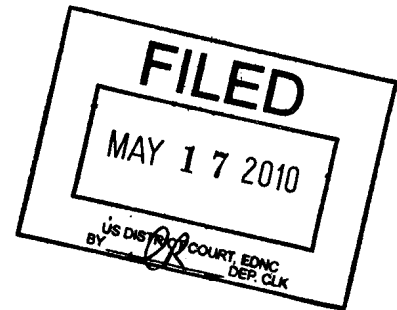


[REDACTED]

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:09-CR-216-FL

COPY



UNITED STATES OF AMERICA)

v.)

DANIEL PATRICK BOYD, a/k/a)
"Saifullah;")

HYSEN SHERIFI;)

ANES SUBASIC;)

ZAKARIYA BOYD, a/k/a "Zak;")

DYLAN BOYD, a/k/a "Mohammed;")

MOHAMMAD OMAR ALY HASSAN;)

and)

ZIYAD YAGHI,)

Defendants.)


ORDER

This matter is before the court on the classified motion to compel and for protective order, filed March 29, 2010, by counsel for defendant Hysen Sherifi ("Sherifi") on behalf of his client and all defendants herein (DE # 279). The government responded in opposition April 12, 2010. For reasons set forth below, supplemental briefing is now ordered.¹

The government was to disclose to defendants by May 11, 2010, all evidence from seized computers that it intends to use affirmatively in the case. That deadline having passed, the court now

¹ In separate order, the court addresses that aspect of the instant motion of or relating to general/sensitive discovery requests.

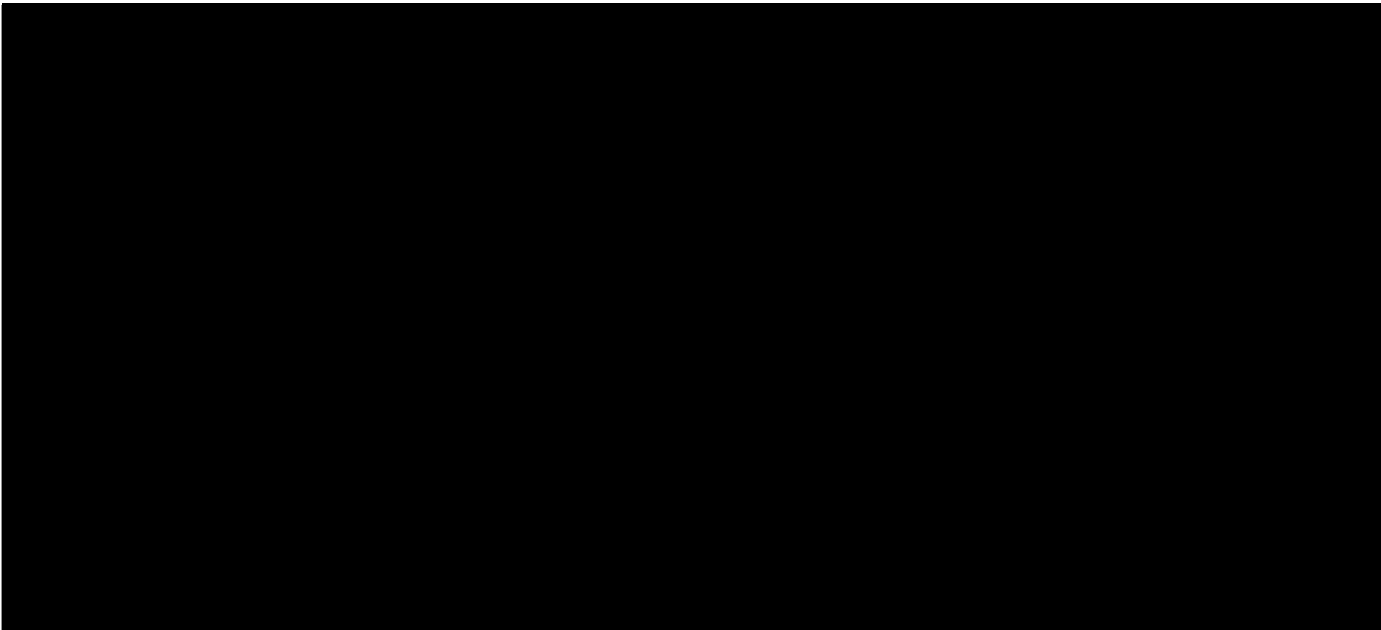
[REDACTED]



orders defendants through liaison counsel to file supplemental brief within seven (7) days from entry of this order, addressing the following:

1. Whether the government identified any materials from the computer at issue in the instant motion for affirmative use at trial and, if so, a description of said materials;
2. If so, defendants may, but are not required to, supplement their legal arguments addressed in furtherance of the motion to compel and for protective order premised on the government's disclosure; and
3. If the government indicated it will not use any materials from this computer at trial, what cause if any exists why the motion is not now moot.


The government shall have seven (7) days from date of receipt of defendants' brief to file any supplemental response thereto.



[REDACTED]

[REDACTED]

SO ORDERED, this the 15th day of May, 2010.


LOUISE W. FLANAGAN
Chief United States District Judge